

**TENNESSEE GENERAL ASSEMBLY  
FISCAL REVIEW COMMITTEE**



**FISCAL MEMORANDUM**

**HB 238 – SB 555**

May 11, 2009

**SUMMARY OF AMENDMENT (006310):** Deletes all language after the enacting clause. Defines “vicious dog” as any dog that has attacked a person, without provocation, causing serious bodily injury. Broadens the definition of “violent felony” to mean any felony involving the use or attempted use of force, violence, or a deadly weapon; a violation of controlled substance offenses, promotion of methamphetamine manufacture, or initiation of a process intended to result in the manufacture of methamphetamine; or a violation of cruelty to animals, cock and animal fighting, intentional killing of an animal, aggravated cruelty to animals, or a criminal offense against an animal. Creates a new Class A misdemeanor for a person convicted of a violent felony that occurs on or after July 1, 2009, knowingly to own, possess, have custody of, or reside in a residence with a vicious dog until 10 years after the person has been released from custody or active supervision. Creates a new Class A misdemeanor for a person convicted of a violent felony that occurs on or after July 1, 2009, to own, possess, or have custody of a dog that is not micro-chipped for permanent identification or is not spayed or neutered and is older than 12 weeks of age.

**FISCAL IMPACT OF ORIGINAL BILL:**

Increase State Expenditures - \$5,581,000/Incarceration\*

**FISCAL IMPACT OF BILL WITH PROPOSED AMENDMENT:**

**Increase State Revenue – Not Significant**

**Increase State Expenditures – Not Significant**

**Increase Local Revenue – Not Significant**

**Increase Local Expenditures – Not Significant**

Assumption applied to amendment:

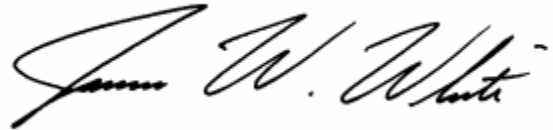
- A small increase in cases in the court system, which will result in additional state and local government expenditures for processing the cases and additional state and local government revenue from fees,

taxes and costs collected. These expenditures and revenue are estimated to be not significant.

*\*Tennessee Code Annotated, Section 9-4-210, requires that: For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

**CERTIFICATION:**

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a larger, more prominent script than the last name "White".

James W. White, Executive Director

/lsc